

**RECEIVED
CENTRAL FAX CENTER**

DEC 27 2005

Applicant	Chiapetta	<u>TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER PRIOR ART PATENT</u>
Serial No.	10/727,005	
Filing Date	December 3, 2003	
Group Art Unit	2633	
Examiner Name	Singh, Dalzid E.	
Attorney Docket No.	100.127US02	
Title: DYNAMIC DISTORTION CONTROL		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The Owner, ADC Telecommunications, Inc., with a business address of 13625 Technology Drive, Eden Prairie, Minnesota 55344, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of U.S. Patent 6,687,466. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent is commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, the Owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any of the prior patents, as presently shortened by any terminal disclaimer, in the event that they later: expire for failure to pay a maintenance fee, are held unenforceable, are found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, have all claims canceled by a reexamination certificate, are reissued, or are in any manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.

12/28/2005 TL0111 00000005 10727005

01 FC:1814

130.00 0P

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER PRIOR ART PATENTS
Serial No.: 10/727,005
Filed: December 3, 2003
Title: DYNAMIC DISTORTION CONTROL
Page 2 of 2
Atty. Docket No. 100.127US02


A Credit Card Payment Form (PTO-2038) for payment of the Terminal Disclaimer fee of \$130.00 pursuant to 37 C.F.R. § 1.20(d) is submitted herewith. Please charge any further fees deemed necessary or credit any overpayment to Deposit Account No. 502432.

The undersigned attorney is authorized to act on behalf of the assignee.

The Examiner is invited to contact the below-signed attorney if any further assistance is required.

Respectfully submitted,

Date: December 27, 2005



David N. Fogg
Reg. No. 35,138

Attorneys for Applicant
Fogg & Associates, LLC
P.O. Box 581339
Minneapolis, MN 55458-1339
Phone: 612-332-4720
Fax: 612-332-4731